

FLOOR SCHEDULE FOR FRIDAY, JULY 19, 2013

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>9:00 a.m.: Legislative Business</b>  <b>Five "One Minutes" per side</b>	<b>10:00 – 10:30 a.m.</b>	<b>10:30 – 11:00 a.m.</b>

**Complete Consideration of [H.R. 5](#) – “Letting Students Down Act” (Rep. Kline – Education and the Workforce).** This bill reauthorizes the Elementary and Secondary Education Act (ESEA) for fiscal years 2014 through 2019 and authorizes \$114.3 billion in funding through FY2018 for federal education programs.

The bill makes several detrimental funding changes to programs in ESEA. It combines the funding for all programs and subgroups included in Title I (Improving the Academic Achievement of the Disadvantaged) of ESEA into a block grant called Local Academic Flex Grants. States and local districts are allowed to use these grants for any activity authorized under Title I at any school that receives Title I funds. The bill requires that 10% of the Local Academic Flex Grants be used for private sector schools. The bill also eliminates the poverty threshold requirement of current law, which states that if the percentage of students living in poverty in a particular school is less than 40%, Title I funds must be spent on programs targeting those low-income students specifically. These two changes would have the effect of allowing funds to be diverted away from schools with the highest poverty and allows districts to send less money to low-income schools and more money to wealthier schools. Lastly, H.R. 5 block-grants all funding for special populations such as English learners, migrant students, Native students, and at-risk students, and allows those funds to be spent outside of those populations.

The bill also makes several changes to the way teachers are evaluated and how funding for teacher improvement can be used. H.R. 5 repeals the highly-qualified teacher requirement (under current law, in order to be deemed a highly qualified teacher, public school teachers must hold at least a bachelor's degree, have obtained full state certification or have passed the state teacher licensing examination, and hold a license to teach), as well as the requirement that qualified teachers be equitably distributed so that some areas are not disproportionately served by unqualified teachers. This allows funding for teacher supports to be shifted away from the poorest schools to wealthier ones. It also eliminates the requirement to ensure quality professional development for teachers, only assessing them for hiring or firing, and eliminates dedicated funding for this purpose.

The bill also weakens protections for students with disabilities and fails to ensure that all children receive quality education. H.R. 5 eliminates the 1% cap for the number of students allowed to be assessed under alternative standards. This would permit all students with disabilities to be held to lower standards and given different assessments, effectively allowing those students to be educated in a lesser system. Further, it removes limits on the numbers of students who can be diverted into this alternate system, creating a perverse incentive to over-identify children for special education as a way to improve the average performance score of those students who remain in the regular assessment system. Finally, the bill removes graduation rates as an accountability measure, again creating a perverse incentive to encourage lower performing students to drop out.

Instead of improving standards and accountability to ensure that students are college or career ready, H.R. 5 removes accountability provisions that ensure all students receive a quality education. The bill allows states to weaken standards, weaken the assessment process, and institute weak accountability systems that would not require performance targets for student achievement, specific actions to improve low performance, or consequences if schools do not improve.

There is no question that the Elementary and Secondary Education Act is overdue for an update. However, instead of fixing the problems and improving quality and testing provisions, H.R. 5 would provide inadequate funding and move backward on equity and accountability, harming the education of our nation's children. **Members are urged to VOTE NO.**

The Rule makes in order no further general debate. As of last night, the House had completed debate through the Broun Amendment (#21). The following amendments remain to be debated:

**Rep. Culberson Amendment.** Requires that state legislatures must expressly approve any state programs that use federal grant monies. Grant money not accepted by State legislatures would be dedicated to deficit reduction rather than remaining in the funding pool where it could be distributed

to other states to meet education needs in those states, thereby further reducing the already inadequate funding in the bill.

**Reps. Fitzpatrick/Meehan Amendment.** Provides a funding condition for state or local educational agency to be eligible for funds, agency personnel cannot facilitate the transfer of an employee if they know, or have probable cause to believe, that the employee has engaged in sexual misconduct with a minor. Agencies must also require employees be subjected to background checks in compliance with the Adam Walsh Child Protection and Safety Act.

**Rep. Jackson-Lee Amendment #24.** Creates a report containing recommendations regarding the advisability of authorizing a state education authority to close a school district over the opposition of a locally elected school board, and regarding best practices governing the exercise of authority by a state education agency in monitoring, supervising and controlling underperforming school districts with particular emphasis on rural and under-served school districts.

**Reps. Cantor/Bishop (UT) Amendment.** Allows Title I funds to follow students to other public schools or charter schools, upon the state opting to allow it. This would further shift funding from lower income schools to wealthier ones and would impose significant new administrative burdens on Local Education Agencies (LEA).

**Rep. Miller (CA) Amendment in the Nature of a Substitute.** Reauthorizes the Elementary and Secondary Education Act to maintain the civil rights and equity focus of the law and to ensure all students have access to an education that prepares them for college and the workforce. Supports all students, and in particular those who are historically disadvantaged, through access to high quality state- developed standards, a meaningful but flexible accountability and school improvement system, improved and targeted professional development and working conditions for teachers and school leaders, additional learning time and after-school programs, and dedicated supports for wrap-around services for students and a well-rounded education.

#### **Bill Text for H.R. 5:**

[PDF Version](#)

#### **Background for H.R. 5:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

[CRS Report](#): ESEA Reauthorization Proposals in the 113<sup>th</sup> Congress: Comparison of Major Features

### The Daily Quote

"The ["Letting Students Down Act"] gets mixed reviews from advocates.... [O]ther groups – including some not traditionally on the same side on all education issues – have strongly objected to aspects of the legislation. The American Federation of Teachers launched an ad campaign... against the bill. In an ad cosigned by the Education Trust, which advocates for more education funding but doesn't agree with the AFT on all issues, the two groups call the bill 'a historic abandonment of our commitment to leveling the playing field for disadvantaged children.'"

- Politico, 7/17/13